

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Case No. 06-CR-320
Plaintiff

v.

DAVID R. OLOFSON,

Defendant,

NOTICE OF MOTION AND MOTION TO ADJOURN TRIAL

Please take notice that defendant, David R. Olofson, by Rose & Rose by Christopher W. Rose, his attorney, will move this Court for the relief requested in the annexed motion before the Honorable J.P. Stadtmueller, U. S. District Judge, United States District Court for the Eastern District of Wisconsin on the 13th day of February, 2007 at 8:30 a.m. and/or at a date and time to be set by the Court or as soon thereafter as counsel can be heard.

Dated this 25th day of January, 2007.

ROSE & ROSE
Attorneys for Defendant

s/ CHRISTOPHER W. ROSE
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MOTION TO ADJOURN TRIAL

Defendant, David R. Olofson, by Rose & Rose by Christopher W. Rose, his attorney, moves this Court to adjourn the trial in the above entitled matter for the following reasons:

1. Defendant's counsel notified this Court via letter of December 6, 2006 that there was a conflict on his calendar regarding the jury trial date of February 20, 2007 and requested a rescheduling of the same. As of the date of this motion, counsel still has various conflicts which would require the rescheduling of the above matter, including the following: (1) Status conference in Lopez v. Nunez, Kenosha County Family Court on 2/20/07 at 1:30 p.m.; (2) City v. Hall trial scheduled for 2/21/07 at 9:30 a.m., Kenosha Municipal Court; (3) City v. Holdsworth pretrial, Kenosha Municipal Court scheduled 2/21/07 at 1:15 p.m.; (4) State v. Walker pretrial scheduled on 2/21/07 at 2:30 p.m., Kenosha County Circuit Court; (5) Countrywide v. Bundick, scheduling conference scheduled 2/23/07 at 10:00 a.m., Kenosha County Circuit Court.

2. Further, counsel for the defendant is still attempting to employ an expert witness for the defendant's case. To date, the defendant has not so employed one but is actively searching for an expert witness for his counsel which counsel believes is necessary in order to protect Mr. Olofson's rights and guarantee him a fair trial in the above matter.

3. Further, the government represented at the initial appearance that the trial was expected to last at least one week. Currently, the trial is now scheduled on Tuesday, February 20, 2007 at 8:30 a.m. If, in fact, the trial lasts an entire week and goes into the

week of February 26, 2007, counsel for defendant would not be able to be present during the week of February 26th as he will be out of town the week of February 26th.

4. Given the above, counsel for the defendant requests a rescheduling of the trial to a later date at a time and date certain. That good cause exists for the relief requested in this motion.

Dated this 25th day of January, 2007.

ROSE & ROSE
Attorneys for Defendant

s/ CHRISTOPHER W. ROSE
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